



## EXECUTIVE DEPARTMENT

EXECUTIVE ORDER NO. KBB 2005 - 84

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***EMERGENCY SUSPENSION OF TIME LIMITS FOR MUNICIPAL  
CIVIL SERVICE EMPLOYEE TESTING FOR FIREFIGHTERS AND POLICE OFFICERS***

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- WHEREAS,** pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency was declared through Proclamation No. 48 KBB 2005, amended by Proclamation Nos. 54 KBB 2005 and 61 KBB 2005, and Proclamation No. 53 KBB 2005, as amended by Proclamation No. 60 KBB 2005;
- WHEREAS,** the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, confers upon the governor of the state of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake or other natural or man-made causes, to ensure that preparations of this state will be adequate to deal with such emergencies or disasters, and to preserve the lives and property of the citizens of the state of Louisiana;
- WHEREAS,** Hurricanes Katrina and Rita struck the state of Louisiana causing severe flooding and damage to the southern part of the state, which has threatened the safety, health, and security of the citizens of the state of Louisiana, along with private property and public facilities;
- WHEREAS,** approximately forty-one (41) fire and police departments within the Municipal Fire and Police Civil Service System have been catastrophically impacted by Hurricanes Katrina and Rita, rendering their local civil service boards unable to provide for testing as required by R.S. 33:2471, *et seq.*, and R.S. 33:2531, *et seq.*;
- WHEREAS,** the emergency staffing needs of these fire and police departments have increased dramatically due to emergency conditions and shifting populations, and the state law limiting emergency appointments within this civil service system to ten (10) days, failed to contemplate a disaster of this magnitude;
- WHEREAS,** there is a need to facilitate the matching of displaced fire and police personnel with critical staffing needs in other fire and police departments statewide;
- WHEREAS,** current state law requires that applicants for entrance employment with fire and police departments within the Municipal Fire and Police Civil Service be tested only after approval of local civil service board following the posting of four (4) individual publications over a thirty (30) day period in the Official Journal of the jurisdiction;
- WHEREAS,** R.S. 29:724(D) authorizes the governor to suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules, regulations of any state agency, if strict compliance with the provisions of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency; and
- WHEREAS,** the Office of the State Examiner has requested the suspension of the time limit as set forth in R.S. 33:2496(C) and R.S. 33:2552(3) to meet the critical staffing needs of fire and police departments statewide and also to suspend other certain provisions of R.S. 33:2492(A) and R.S. 33:2552(1), more specifically the posting and advertising requirements for tests administered on a statewide basis;

**NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO**, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

- SECTION 1:** R.S. 33:2496(C) and 2556(3) are hereby suspended to the extent that it limits an emergency appointment to a classified service position to ten (10) days. However, the authority to make such emergency appointments as well as other provisions of R.S. 33:2496(C) and 2556(3) shall remain in effect.
- SECTION 2:** R.S. 33:2492(A) and 2552(1) which require local posting and advertising are hereby suspended. The Office of the State Examiner shall administer statewide testing for entrance Firefighter and Police Officer on an emergency basis.
- SECTION 3:** The state examiner is hereby authorized and directed to take any action as necessary to administer entrance tests on an emergency basis, and to ensure that emergency appointments by local fire and police departments are not used to circumvent other provisions of civil service law. Applicants may request further information regarding emergency testing procedures by calling (225) 925-4400 or by visiting [www.ose.louisiana.gov](http://www.ose.louisiana.gov).
- SECTION 4:** All departments, commissions, boards, offices, entities, agencies, and officers of the state of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with the implementation of the provisions of this Order.
- SECTION 5:** This Order is effective upon signature and shall continue in effect until March 1, 2006, unless amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.



**IN WITNESS WHEREOF**, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 10th day of November, 2005.

**/S/ Kathleen Babineaux Blanco**  
**GOVERNOR OF LOUISIANA**

**ATTEST BY**  
**THE GOVERNOR**

**/S/ Al Ater**  
**SECRETARY OF STATE**